

REMARKS

Claims 1-16 were presented for examination and were pending in this application. In an Official Action dated July 10, 2008, claims 1-16 were rejected. Applicant has amended claims 1 and 9 in this Amendment and Response. New claims 19 and 20 are added in this Amendment and Response. Based on the preceding Amendment and the following Remarks, Applicant respectfully requests that Examiner reconsider all outstanding rejections and withdraw them.

Response to Rejection Under 35 USC §102(e)

The Examiner rejected claims 1-16 under 35 USC § 102(e) as allegedly being anticipated by U.S. Patent Publication No. 2006/0253903 to Krumel ("Krumel"). This rejection is respectfully overcome in view of the amended claims.

Claim 1, as amended, recites:

...an active management console device configured to operate in the active management personal computer, the active management console module for enabling real-time communication of active management queries to configure the SOHO network device from the active management personal computer to the SOHO network device during operation of the SOHO network device on an active communication link; and

an active management agent device, remote from the active management console device, configured to operate in the SOHO network device for communicating real-time active management queries to configure the SOHO network device in real-time between the active management console device and the SOHO network device on the active communication link.

As recited in amended claim 1, an active management console device operates in an active management personal computer to enable real-time communication of active management queries from the active management personal computer to a SOHO network

device. The active management queries the active management personal computer to configure the SOHO network device in real-time during operation. For example, the active management personal computer receives input from a user which is used to configure the SOHO network device in real-time. An active management agent device operates in the SOHO network device and communicates real-time active management queries between the active management console device and the SOHO network device using an active communication link. The real-time active management queries allow configuration of the SOHO network during operation, in real-time, based on data from the active management console device while an active communication link is being used by the SOHO network device. Use of an active communication link allows the SOHO network device to continue to receive data traffic in addition to the active management queries, enabling continuous use of the SOHO network device for data transmission during configuration.

Hence, the claimed invention beneficially allows the active management personal computer to configure a SOHO network device in real-time. This allows the active management personal computer to provide configuration or operational management data to the SOHO network device during operation of the SOHO network device. Hence, the active management personal computer modifies the SOHO network device while an active communication link is used by the SOHO network device to communicate data. Thus, the SOHO network device is configured without disrupting data flow through the SOHO network device. The active management personal computer also allows real-time modification of data restricted by the SOHO network device or user-access provided by the SOHO network device to one or more SOHO personal computers or users. Rather than require rebooting or restarting of the SOHO network device, the claimed invention allows the

active management personal computer to modify the SOHO network device operation in real-time without disrupting operation of the SOHO network device.

In contrast, Krumel discloses a rules filter and rules controller included in a data protection system which receives packet characteristics and applies filtering rules to received packets based on the received characteristics in real-time. Krumel, ¶ [0048]. While the data protection system filters packets in real-time, Krumel does not disclose an active management console for “enabling real-time communication of active management queries to configure the SOHO network device from the active management personal computer to the SOHO network device during operation of the SOHO network device,” as claimed. To update the filtering rules, or otherwise modify the data protection system, Krumel requires a user to physically interact with the data protection system. Physical switches or toggles on the data protection system are coupled to a programmable logic device included in the data protection system, and user interaction with the physical switches or toggles is required to reconfigure or update the data protection system. Krumel, ¶ [0087]; FIG. 9.

Specifically, to update the filters applied by the programmable logic device, Krumel requires that an update button or toggle physically located on an external case of the data protection system be pressed to initiate an update mode. While in the update mode, the data protection system does not forward any packets but merely executes an update program from an internal host computer. Thus, no communication channel is active while the data protection system is updated; rather, packet transmission is blocked until the update is completed. Krumel, ¶ [0088]. Although Krumel filters data packets in real-time as they are received, the data protection system cannot be configured in real-time based on messages from an active management console. By requiring a user to physically interact with the data

protection system to initiate an update mode which suspends data communication, Krumel fails to disclose the claimed element of an active management console device configured for “enabling real-time communication of active management queries to configure the SOHO network device from the active management personal computer to the SOHO network device during operation of the SOHO network device on an active communication link.”

For at least these reasons, Krumel fails to anticipate one or more elements in amended claim 1. Thus, claim 1, as amended, is patentably distinguishable over the cited reference. Moreover, as claims 2-8 depend from claim 1, all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claims 2-8. Therefore, Applicant respectfully submits that claims 1-8 are patentably distinct from the cited reference and kindly requests withdrawal of their rejection.

As claim 9 has been amended to incorporate similar elements as amended claim 1, all arguments advanced above with respect to claim 1 are hereby incorporated to apply to amended claim 9. As claims 10-16 depend from claim 9, all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claims 10-16. Therefore, Applicant respectfully submits that claims 9-16 are patentably distinct from the cited reference and kindly requests withdrawal of their rejection.

The Examiner rejected claims 1-16 under 35 USC § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2004/0132451 to Butehorn et al. (“Butehorn”). This rejection is respectfully overcome in view of the amended claims.

Claim 1, as amended, recites:

...an active management console device configured to operate in the active management personal computer, the active management console module for enabling real-time communication of active management queries to configure the SOHO network device from the active

management personal computer to the SOHO network device during operation of the SOHO network device on an active communication link; and

an active management agent device, remote from the active management console device, configured to operate in the SOHO network device for communicating real-time active management queries to configure the SOHO network device in real-time between the active management console device and the SOHO network device on the active communication link.

As recited in amended claim 1, an active management console device operates in an active management personal computer to enable real-time communication of active management queries from the active management personal computer to a SOHO network device. The active management queries the active management personal computer to configure the SOHO network device in real-time during operation. For example, the active management personal computer receives input from a user which is used to configure the SOHO network device in real-time. An active management agent device operates in the SOHO network device and communicates real-time active management queries between the active management console device and the SOHO network device using an active communication link. The real-time active management queries allow configuration of the SOHO network during operation, in real-time, based on data from the active management console device while an active communication link is being used by the SOHO network device. Use of an active communication link allows the SOHO network device to continue to receive data traffic in addition to the active management queries, enabling continuous use of the SOHO network device for data transmission during configuration.

Hence, the claimed invention beneficially allows the active management personal computer to configure a SOHO network device in real-time. This allows the active management personal computer to provide configuration or operational management data to

the SOHO network device during operation of the SOHO network device. Hence, the active management personal computer modifies the SOHO network device while an active communication link is used by the SOHO network device to communicate data. Thus, the SOHO network device is configured without disrupting data flow through the SOHO network device. The active management personal computer also allows real-time modification of data restricted by the SOHO network device or user-access provided by the SOHO network device to one or more SOHO personal computers or users. Rather than require rebooting or restarting of the SOHO network device, the claimed invention allows the active management personal computer to modify the SOHO network device operation in real-time without disrupting operation of the SOHO network device.

Butehorn discloses a radio network where each terminal is capable of redirecting traffic to another terminal using a locally stored route table. A communication apparatus routes data over a radio network which determines whether the destination of the data can be reached according to the route table. Butehorn, ¶¶ [0008]-[0009]. To update the route table, data is collected from various route clients and periodically stored by a route server. Butehorn, ¶ [0116]. A route table update message is subsequently transmitted to indicate that subsequent transmissions include updated routing information, and the updated routing information is repeatedly transmitted until an acknowledgement message is transmitted to the route server. Butehorn ¶ [0184]. Hence, the route table is not updated in real-time “during operation of the SOHO network device on an active communication link,” as claimed, but is updated during a separate route update process where only route information, rather than communication data, is transmitted by a communication link.

Additionally, Butehorn uses a dedicated route server, rather than an “active management console device configured to operate in the active management personal computer,” to manage other devices. Rather than base modification on “active management queries to configure the SOHO network device from the active management personal computer”, as claimed, Butehorn relies on individual devices identifying changes in routing data and forwarding the changed routing data to a route server or other devices. Butehorn, ¶¶ [0183]-[0185]. While the claimed invention allows user input received by the active management personal computer to be used for dynamic modification of a SOHO device using an active management personal computer, there is no device which initiates the route table update in Butehorn. Hence, the claimed invention allows the active management personal computer including the active management console device to regulate operation of the SOHO network device using active management queries, allowing the active management personal computer to provide network administration information to the SOHO network device. Butehorn does not disclose this functionality, but rather discloses automatic modification of route tables as discrete devices determine changes in terrestrial routes, without receiving “active management queries to configure the SOHO network device from the active management personal computer,” as claimed.

For at least these reasons, Butehorn fails to anticipate one or more elements in amended claim 1. Thus, claim 1, as amended, is patentably distinguishable over the cited reference. Moreover, as claims 2-8 depend from claim 1, all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claims 2-8. Therefore, Applicant respectfully submits that claims 1-8 are patentably distinct from the cited reference and kindly requests withdrawal of their rejection.

As claim 9 has been amended to incorporate similar elements as amended claim 1, all arguments advanced above with respect to claim 1 are hereby incorporated to apply to amended claim 9. As claims 10-16 depend from claim 9, all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claims 10-16. Therefore, Applicant respectfully submits that claims 9-16 are patentably distinct from the cited reference and kindly requests withdrawal of their rejection.

The Examiner rejected claims 1-16 under 35 USC § 102(e) as allegedly being anticipated by U.S. Patent Publication No. 7,274,684 to Young, et al. ("Young"). This rejection is respectfully overcome in view of the amended claims.

Claim 1, as amended, recites:

...an active management console device configured to operate in the active management personal computer, the active management console module for enabling real-time communication of active management queries to configure the SOHO network device from the active management personal computer to the SOHO network device during operation of the SOHO network device on an active communication link; and

an active management agent device, remote from the active management console device, configured to operate in the SOHO network device for communicating real-time active management queries to configure the SOHO network device in real-time between the active management console device and the SOHO network device on the active communication link.

As recited in amended claim 1, an active management console device operates in an active management personal computer to enable real-time communication of active management queries from the active management personal computer to a SOHO network device. The active management queries the active management personal computer to configure the SOHO network device in real-time during operation. For example, the active management personal computer receives input from a user which is used to configure the

SOHO network device in real-time. An active management agent device operates in the SOHO network device and communicates real-time active management queries between the active management console device and the SOHO network device using an active communication link. The real-time active management queries allow configuration of the SOHO network during operation, in real-time, based on data from the active management console device while an active communication link is being used by the SOHO network device. Use of an active communication link allows the SOHO network device to continue to receive data traffic in addition to the active management queries, enabling continuous use of the SOHO network device for data transmission during configuration.

Hence, the claimed invention beneficially allows the active management personal computer to configure a SOHO network device in real-time. This allows the active management personal computer to provide configuration or operational management data to the SOHO network device during operation of the SOHO network device. Hence, the active management personal computer modifies the SOHO network device while an active communication link is used by the SOHO network device to communicate data. Thus, the SOHO network device is configured without disrupting data flow through the SOHO network device. The active management personal computer also allows real-time modification of data restricted by the SOHO network device or user-access provided by the SOHO network device to one or more SOHO personal computers or users. Rather than require rebooting or restarting of the SOHO network device, the claimed invention allows the active management personal computer to modify the SOHO network device operation in real-time without disrupting operation of the SOHO network device.

In contrast, Young discloses a Multimedia Access Network Device (MAND) for delivering voice, video and data using Internet Protocol (IP) connections. Young, col. 1, lines 11-20; col. 3, lines 50-63. The MAND monitors and maps a single public IP address associated with the MAND and IP port number associated with a multimedia session to the private address and port number of a particular IP device. Young col. 6, lines 18-34; col. 6, line 63 to col. 7, line 10. Hence, the MAND uses a single public IP address associated with the MAND to allow multiple IP devices to communicate with a network to route data from the network to one or more IP devices.

Although the MAND includes a management interface for a service provider to configure, manage, monitor or upgrade the MAND, there is no disclosure in Young that this management interface receives or transmits “real-time active management queries to configure the SOHO network device between the active management console device and the SOHO network device on the active communication link,” as claimed. Rather, the management interface initially configures the MAND using customer information and the initial configuration data is used to communicate subsequently received data between the MAND, the VoIP devices and the network. Young col. 13, lines 14-24; col. 13, lines 42-51. Hence, the management interface initially configures the MAND to route data received after initial configuration between multiple VoIP devices and a data network. In contrast, the claimed active management console device communicates active management queries between SOHO network device and the active management personal computer in real-time, allowing the active management personal computer to configure the SOHO network device as the SOHO network device is processing data. In contrast, the MAND in Young is initially

configured and then uses the initial configuration data to transmit subsequently received data to various IP devices.

Although the MAND firmware can be remotely upgraded, this upgrade requires the MAND to be rebooted after the upgrade and does not permit configuration or modification of the MAND in real-time. As the firmware is upgraded, the MAND is unusable for a certain time interval while the MAND reboots to fully load the firmware upgrade. Young col. 14, line 62 to col. 15, line 5. . Hence, the MAND merely receives routing data upon initialization and uses the routing data to communicate subsequently received data between multiple devices and requires rebooting to complete an upgrade, there is no disclosure in Young of “communicating real-time active management queries to configure the SOHO network device in real-time between the active management console device and the SOHO network device on the active communication link,” as claimed.

For at least these reasons, Young fails to anticipate one or more elements in amended claim 1. Thus, claim 1, as amended, is patentably distinguishable over the cited reference. Moreover, as claims 2-8 depend from claim 1, all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claims 2-8. Therefore, Applicant respectfully submits that claims 1-8 are patentably distinct from the cited reference and kindly requests withdrawal of their rejection.

As claim 9 has been amended to incorporate similar elements as amended claim 1, all arguments advanced above with respect to claim 1 are hereby incorporated to apply to amended claim 9. As claims 10-16 depend from claim 9, all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claims 10-16. Therefore,

Applicant respectfully submits that claims 9-16 are patentably distinct from the cited reference and kindly requests withdrawal of their rejection.

New claims 19 and 20 depend from independent claims 1 and 9 respectively and recite additional patentable features. Specifically, claims 19 and 20 variously recite “the active communication link comprises a communication link transmitting functional information relating to the operation of the gateway device and data traffic.” Support for new claims 19 and 20 is found throughout the specification, for example at paragraphs [0024]-[0025].

Conclusion

Claims 1-16, 19 and 20, as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicant respectfully invites Examiner to contact Applicants’ representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
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